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7 Attorney for JOSE EFRAIN LARIOS RIVERA

8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 JOSE EFRAIN LARIOS RIVERA,
15 JOSE BAUTISTA MIRANDA, and
RAMON LEON-VALDEZ,

16 Defendants.
17

Case No. 3:17-CR-00093-HDM-VPC

**ORDER GRANTING
STIPULATION TO CONTINUE
MOTION DEADLINES AND
TRIAL DATES**
(First Request)

18 IT IS HEREBY STIPULATED AND AGREED, by and between STEVEN W.
19 MYHRE, Acting United States Attorney, and JAMES KELLER, Assistant United States
20 Attorney, counsel for the United States of America, and RENE L. VALLADARES, Federal
21 Public Defender, CHRISTOPHER P. FREY, Assistant Federal Public Defender, counsel for
22 JOSE EFRAIN LARIOS RIVERA, DENNIS A. CAMERON, counsel for JOSE BAUTISTA
23 MIRANDA, and JANICE ANNE HUBBARD, counsel for RAMON LEON-VALDEZ, that the
24 Calendar Call currently scheduled for November 21, 2017, at 9:30 a.m., be vacated and
25 continued to **January 24, 2018, at 9:30 a.m.**, and the trial scheduled for December 5, 2017, at
26 9:00 a.m., be vacated and continued to **February 12, 2018, at 9:00 a.m.**

1 IT IS FURTHER STIPULATED AND AGREED, that the parties shall have to and
2 including **December 29, 2017**, to file any and all pretrial motions and notices of defense.

3 IT IS FURTHER STIPULATED AND AGREED, that the parties shall have to and
4 including **January 12, 2018**, to file any and all responsive pleadings.

5 IT IS FURTHER STIPULATED AND AGREED, that the parties shall have to and
6 including **January 19, 2018**, to file any and all replies to dispositive motions.

7 The Stipulation is entered into for the following reasons:

8 1. The defendants are currently detained and does not oppose the requested
9 continuance.

10 2. The failure to grant this continuance would deny counsel sufficient time to
11 effectively and thoroughly prepare and submit pretrial motions and notices of defense, taking
12 into account the exercise of due diligence. See 18 U.S.C. § 3161 (h)(7)(B)(iv).

13 3. Counsel for the defendants will need additional time to conduct investigation
14 and complete research in this case in order to determine whether there are any pretrial issues
15 that must be litigated and whether the case will ultimately go to trial or be resolved through
16 negotiations.

17 4. Should a resolution of this matter not be reached between the parties, defense
18 counsel requires additional time within which to complete the investigation and to prepare legal
19 defenses. Such an investigation will require interviewing witnesses, serving subpoenas,
20 discussing key legal concepts and strategy with the defendant, and investigating potential
21 mitigation evidence.

22 5. The additional time requested herein is not sought for the purposes of delay, but
23 merely to allow counsel for the defendant sufficient time to effectively and thoroughly research,
24 prepare and file appropriate pretrial motions, and prepare for trial, taking into account the
25 exercise of due diligence.

26 6. The additional time requested by this stipulation is excludable in computing the
time within which the trial must commence pursuant to the Speedy Trial Act, 18 U.S.C.
§3161(h)(7)(A), and considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and

1 3161(h)(B)(iv) in that failure to grant this continuance would result in a miscarriage of justice
2 by denying counsel for the Defendants reasonable time necessary for effective preparation.

3 7. This is the first stipulation to continue the trial term, calendar call, and motions
4 deadlines.

5 DATED this 17th day of November, 2017.

6
7 RENE L. VALLADARES
8 Federal Public Defender

STEVEN MYHRE
Acting United States Attorney

9 /s/ Christopher P. Frey
By: _____

/s/ James E. Keller
By: _____

10 CHRISTOPHER P. FREY
11 Assistant Federal Public Defender
Counsel for JOSE EFRAIN
12 LARIOUS RIVERA

JAMES E. KELLER
Assistant United States Attorney
Counsel for the Government

13 Signature of Defendants attached.
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RENE L. VALLADARES
Federal Public Defender

By: /s/ Christopher P. Frey

CHRISTOPHER P. FREY
Assistant Federal Public Defender
Counsel for JOSE EFRAIN LARIOUS RIVERA

I agree to the attached continuance and waive my Speedy Trial rights as outlined above.

By: Jose Rivera
JOSE EFRAIN LARIOUS RIVERA,
Defendant

By: Dennis Cameron
DENNIS A. CAMERN
Law Office of Dennis Cameron
Counsel for JOSE BAUTISTA MIRANDA

I agree to the attached continuance and waive my Speedy Trial rights as outlined above.

By: Jose B. Miranda
JOSE BAUTISTA MIRANDA,
Defendant

By: Janice Hubbard

JANICE ANNE HUBBARD
Law Office of Janice Hubbard, LLC
Counsel for RAMON LEON-VALDEZ

I agree to the attached continuance and waive my Speedy Trial rights as outlined above.

By: Ramon Leon-Valdez
RAMON LEON-VALDEZ,
Defendant

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